

CITY OF MOUNTAIN VIEW
RESOLUTION NO.
SERIES 2003

A RESOLUTION TO DENY AN APPLICATION FOR A
PLANNED COMMUNITY/PROVISIONAL USE PERMIT TO
CONVERT 1,768 SQUARE FEET OF GROUND-FLOOR SPACE TO OFFICE AT
303 BRYANT STREET

WHEREAS, an application was received from Kenneth Rodriguez & Associates for 303 Bryant Street, LLC, for a Planned Community/Provisional Use Permit to convert 1,768 square feet of floor area reserved for retail use to office area on the ground floor of a three-story commercial building at 303 Bryant Street (Application No. 061-03-PCZA); and

WHEREAS, the Zoning Administrator held a public hearing on April 9, 2003 on said application and recommended that the City Council deny the Planned Community Permit subject to the findings contained in the findings report; and

WHEREAS, on April 22, 2003, the City Council held a public hearing on said application and received and considered all evidence presented at said hearing, including the findings report and staff report from the Zoning Administrator; and

WHEREAS, staff has determined that the California Environmental Quality Act (CEQA) does not apply to projects which a public agency rejects or disapproves;

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby finds and determines that this project is statutorily exempt from CEQA (Section 15270, California State CEQA Guidelines).

BE IT FURTHER RESOLVED by the City Council that said application is inconsistent with the 1992 General Plan which notes that the City's substantial investment in public infrastructure has been responsible for a revitalization of the historic downtown into a successful commercial core and which calls for new land uses that foster a lively pedestrian experience and a visually exciting environment.

BE IT FURTHER RESOLVED by the City Council that said application is inconsistent with the Downtown Planned Community District which encourages a continuous frontage of retail and restaurant uses at the ground level to ensure that the Historic District develops into an increasingly interesting and exciting place to visit.

BE IT FURTHER RESOLVED by the City Council that Area H of the Downtown Precise Plan specifically states that a major component of the development strategy of this area is to reinforce its continuity by requiring that all new development provide active ground-level retail and/or restaurant uses adjacent to the street.

BE IT FURTHER RESOLVED by the City Council that the Planned Community Permit for said project is hereby denied subject to the findings of fact incorporated herein.

TIME FOR JUDICIAL REVIEW:

The time within which judicial review of this decision must be sought is governed by California Code of Procedure, Section 1094.6, as established by Resolution No. 13850, adopted by the City Council on August 9, 1983.

WMcN/6/RESO
808-04-22-03R^